

The Socorro Chieftain.

VOL. 4.

SOCORRO, NEW MEXICO, WEDNESDAY EVENING, MAY 2, 1888.

NO 612.

ROSS TO PAYSON.

Washington, April 7, 1888.

Hon. Louis E. Payson, M. C. House of Representatives—Dear Judge: Not having the opportunity in the tumult of the House floor, yesterday, to state as fully as I desired the objections to your proposed bill for the settlement of land grant titles, permit me to do so now in writing, and to respectfully ask your careful consideration thereof.

1st. The surveyor-general is not a judicial officer. He has no power to enforce testimony or to compel the attendance of witnesses, functions which, being reasonably well informed as to the intricacy of the complications which characterize the larger proportion, at least, of the cases upon which he would have to pass, I deem essential to satisfactory adjustment a result quite impossible to any but a judicial tribunal, the place of all others for the adjudication of titles to realty.

The impolicy of this plan is demonstrated in the fact that during the past, nearly three years, the surveyor-general of New Mexico has passed upon but some fifty or sixty of the 1,400 claims reported by the then secretary of the interior to have been on file in 1880. At that rate, how long will it take him to pass upon those then filed and the 800 reported to have been since filed? Or, if the surveyor-general, an officer without judicial function, is the most proper person to pass in the first instance upon these claims, would it be prudent or proper to provide clerical or even official assistants for him as you propose, to whom he must of necessity in the multiplicity of the other duties of his office entrust a very large part of his own jurisdiction, and thus your own object, so far as the discharge of this important trust by an honest surveyor-general is concerned, be practically defeated? Would it not be better and safer to organize at once an independent tribunal that would not be hampered by official duties and obligations in this other direction? Your plan would be, with not very material modification, the plan established in the act of 1854, which has fatally obstructed instead of facilitating the settlement of these titles, and been productive of very extensive illegal absorptions of the public domain. Is it not better to get as far as possible away from that plan?

Under your proposed bill these claims pass from the surveyor-general to the secretary of the interior.

With that transition the difficulties increase instead of diminishing. That department is now overwhelmed with individual land contests, and is behind ten to twelve thousand cases, some thousands of them being now before the secretary awaiting his final action. These facts, conclusively to my mind, show the impolicy of adding to that department the burden of adjudicating several thousand cases of land grant titles, vastly more complicated and involving greatly increased labor and responsibility in their investigation than the ordinary land contests with which it is now impossible for the department to more than keep even. It is true that a large clerical force might be employed in this work, but I submit that it would be hardly the proper thing or conducive to the ends of justice to defer grave questions of law, of treaty obligation, and the unraveling of complications growing out of fraud, perjury, and the intermingling of the customs and usages of two distinct and differing civilizations to a practically irresponsible clerical force, as a rule entire strangers to these conditions as they exist in the territories named. Another fact worth bearing in mind is, that the U. S. Land Court Bill, as originally introduced, was to a degree, at least, inspired by Washington claim agents, knowing and intending that under its provisions all these thousands of claims must come to Washington for adjudication and the fees for their prosecution paid out here. Under your proposed bill the final adjudication of all these claims must be had here, agents and attorneys must be employed here, the fees for prosecution paid out here, and a corresponding hardship laid upon every claimant. So that the object of the intervention of the Washington claim agents in this mat-

ter though defeated in the modification of the pending Land Court Bill would be at last accomplished in the passage of your bill. I know you do not intend this, for your entire public record on the question of public land administration has been for the protection of the rights of the honest claimant and of the United States. But I am confident that the effort would be as I have suggested.

3d. It has come to me through sources, which I cannot doubt, that a studied effort is being made in certain interested quarters, here and in New Mexico, to defeat all efforts to procure legislation for the settlement of these land grant titles by this Congress, in the hope that a change in partisan supremacy will occur at the ensuing election, and the old order of things in these Territories restored. Mr. Julian and Mr. Vilas would in that case go out of office within a year. There is temporarily in this city a gentleman who claims that he will then become the Surveyor-General of New Mexico. I know him personally and well, and believe him to be, at least he claims to be, largely interested and an extensive operator in New Mexico Land Grants. You can readily see the result that would follow.

I sincerely believe that our only safety in New Mexico in this matter is in the establishment of an independent judicial tribunal, for the time being burdened with no other responsibilities, and free from all the contingencies of partisan domination.

We of New Mexico are not seeking for any particular form of machinery

for the settlement of this business. But we do insist upon something that will accomplish that purpose speedily, effectively, and justly to the government and the claimant. If I could see that your bill would do that, I would certainly and cheerfully endorse it. But I can see no such result from it. I would be satisfied with either of the two bills now before the Senate and House respectively, because, first, either of them will accomplish the desired result; and, second, it is now morally certain that no other than a court bill in some form can pass the Senate even if passed by the House, which is doubtful, and that it would be folly to consume time in the passage of a bill in either house that manifestly could not pass the other; and, again, because it is now so late in the session, and the pressure for other legislation becoming so great, that there is danger of getting nothing if we do not accept one of the two now pending. And in this I know that I represent a very large majority of all the people of New Mexico. I have given much time and very careful and thorough investigation to this matter for several years, have traveled extensively over the Territory and discussed it with those people. They are intelligent people and know what they want, it is but fair that Congress should give proper heed to their wish in a matter that interests only themselves and which is so vital to their prosperity.

Very Respectfully,
E. G. ROSS,
Governor of New Mexico.

STATEMENT

Showing the financial condition of Socorro county, N. M., on the first day of February, 1888:

NAME OF ACCOUNT.	Dr.	Cr.
General expenses paid from the year 1874 to February 1, 1888.....	\$3,488 06	
Amount expended for building court house and jail, and other improvements.....	66,515 89	
Amount expended for construction of bridge across the Rio Grande.....	22,501 25	
Amount in bonds of the county redeemed and cancelled.....		5,000 00
Amount in bonds of county now outstanding.....		111,800 00
Amount of coupons on county bonds paid.....	17,616 00	
Amount of cash in hands of county treasurer February 1st, 1888.....	33,994 84	
Amount standing to credit of county fund (special) Am't standing to credit of county fund (ordinary).....		5,787 57 2,570 80
Amount standing to credit of school fund.....		11,739 16
Amount standing to credit of interest fund.....		13,897 31
Amount of taxes and licenses collected, and for collection, in hands of C. T. Russell, collector, not collected.....	25,354 88	
Amount of licenses in hands of C. T. Russell, collector, not collected.....		137 50
Amount of fees on licenses due E. V. Chavez, ex-clerk.....		4 73
Amount paid territorial treasurer by collector of Socorro county to Sept. 20th, 1887.....	33,788 65	
Amount paid for furniture and fixtures in court house and jail to February 1, 1888.....	1,753 31	
Amount of uncollected taxes and licenses for years prior to 1887.....		67,859 64
Amount of the tax-roll of 1887 in the hands of C. T. Russell, collector, for collection Feb. 1, '88.....		25,217 38
* WARRANTS		
Issued by Socorro county, N. M., for the current year of 1887, as per "Warrant Register," for the following purposes:		
Material and goods furnished court house and jail	1,254 01	
Amount paid jury and bridge commissioners.....	31 00	
Sheriff's office expenses allowed by commissioners	188 65	
Amount allowed for blank books, printing and stationery for county.....	1,546 28	
Amount allowed on account of salaries and expenses of Probate court.....	339 47	
Amount allowed on account of county roads.....	150 60	
Amount allowed for salary and mileage of county commissioners.....	1,006 70	
Amount allowed probate clerk as clerk of Board of Commissioners and for translating proceedings.....		769 30
Amount allowed county treasurer for salary and necessary stationery and expense.....		498 33
Amount allowed for boarding prisoners, jailer's salary and for conveying prisoners to and from jail.....		3,542 55
Amount allowed for improvement of court house grounds.....		215 00
Amount appropriated to board of health.....		120 00
Amount allowed for guarding prisoners.....		1,547 09
Amount allowed bailiffs and deputy sheriffs.....		19 50
Amount allowed for expenses of assessor's office.....		36 40
Amount allowed for construction of sewer from court house and jail.....		2,130 00
Amount allowed to school superintendent for salary.....		975 00
Amount allowed for holding inquests and interring paupers.....		122 25
Amount allowed for medical services rendered prisoners and paupers.....		120 00
Amount allowed to pay salary of county attorney.....		800 00
Amount allowed on account of election expense.....		60 80
Amount allowed to collector and assessor for commission on collection of taxes and licenses.....		2,291 00
Amount allowed janitor for court house.....		32 00
Amount allowed W. H. Moore as accountant.....		150 00
Amount allowed I. S. Tiffany as attorney in case No 1434.....		152 00
Total amount warrants outstanding, \$50,998.79 Am't issued during the current year of 1887.....		18,286 84
Bonds outstanding.....		\$111,800 00
Warrants outstanding.....		50,998 79
Total.....	\$162,798 79	\$295,012 88

Approved April 21, 1888.

C. N. BLACKWELL,

Chairman Board of County Commissioners.

JESUS M. LUNA Y SNO, Ex-Officio Clerk Board of County Commissioners.

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